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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL YANES and
JORGE LUIS YANES,

Defendants.

CASE NO. 1:22-CR-00307-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: February 15, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

1. By previous order, this matter was set for status on February 15, 2023.
2. By this stipulation, defendants now move to continue the status conference until May 31, 2023, and to exclude time between February 15, 2023, and May 31, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

3. While the parties anticipate that the case may resolve without a trial, this is not yet a certainty. If defendants ultimately do not enter guilty pleas and decide to proceed to trial, the parties agree and stipulate, and request that the Court find the following:

a) The government asserts the discovery associated with this case includes reports, photographs, and recordings. Initial discovery has been provided to all counsel. Although this

1 federal case was not the product of a wiretap investigation, the government has agreed to provide
2 discovery from a state wiretap investigation of these two defendants. The government
3 anticipates that voluminous additional discovery (estimated to be 20-30 GB of information) will
4 be provided in the next 10 days. The government is aware of its ongoing discovery obligations.

5 b) The government is amendable to providing plea offers to defendants if requested.

6 c) Counsel for all defendants desire additional time to consult with their clients, to
7 review the current charges, to conduct investigation and research related to the charges, to review
8 and/or copy discovery for this matter, to discuss potential resolutions with their clients, to
9 prepare pretrial motions, and to otherwise prepare for trial.

10 d) Counsel for defendants believe that failure to grant the above-requested
11 continuance would deny them the reasonable time necessary for effective preparation, taking into
12 account the exercise of due diligence.

13 e) The government does not object to the continuance.

14 f) Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendants in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 et seq., within which trial must commence, the time period of February 15, 2023, to May 31,
19 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
20 T4], because it results from a continuance granted by the Court at defendants' request on the
21 basis of the Court's finding that the ends of justice served by taking such action outweigh the
22 best interest of the public and the defendant in a speedy trial.

23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

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Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

DATED: February 9, 2023

PHILLIP A. TALBERT
United States Attorney

By: /s/ Jessica A. Massey
JESSICA A. MASSEY
Assistant U.S. Attorney

DATED: February 9, 2023

By: /s/ Darryl Young
DARRYL YOUNG
Attorney for Defendant
MANUEL YANES

DATED: February 9, 2023

By: /s/ Galatea DeLapp
GALATEA DELAPP
Attorney for Defendant
JORGE LUIS YANES

ORDER

IT IS SO ORDERED.

DATED: 2/10/2023

Sheila K. Oberto
HON. SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE